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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/535,033

05/13/2005

Marcus Soderlund

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05/14/2007

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EXAMINER

GUZMAN, APRIL S

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

05/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|-----------------------------------|--|
| Office Action Summary | Application No. 10/535,033 | Applicant(s) SODERLUND, MARCUS | |
| | Examiner April S. Guzman | Art Unit 2618 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>05/13/05, 01/10/07</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement submitted on 03/13/2005 and 01/10/2007 have been considered by the Examiner and made of record in the application file.

Response to Arguments

Applicant's arguments, filed 01/10/2007, with respect to the rejection(s) of claim(s) 1-5, 8-13, and 16 under 35 U.S.C. 102(a) and claims 6-7, 14-15 and 17-19 under 35 U.S.C 103(a) have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **Goldenberg (U.S. Patent # 5363,089)** in view of **Olodort et al. (U.S. Patent # 6,798,649)**.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-10, 13-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Goldenberg (U.S. Patent # 5,363,089)** in view of **Olodort et al. (U.S. Patent # 6,798,649)**.

Consider **claim 1**, Goldenberg teaches a portable electronic device (Abstract, Figures 1-3, and column 1 lines 6-10) comprising:

a first part comprising electrical circuits and having an exterior side, an interior side, and top and bottom sides (Figure 1, Figure 2, column 1 lines 61-68, column 2 lines 1-8, and column 3 lines 63-68);

a second part comprising electrical circuits and having an exterior side, an interior side and top and bottom sides (Figure 1, Figure 2, column 1 lines 61-68, column 2 lines 1-8, column 3 lines 63-68, and column 3 lines 1-7);

at least one hinge connecting the bottom sides of the first and second parts to each other and allowing rotation of one of the first and second parts relative to the other of the first and second parts (Figure 5, Figure 6, column 1 lines 61-68, column 2 lines 1-8, column 2 lines 63-68, column 3 lines 1-7, column 4 lines 40-44, and column 4 lines 60-68);

a flexible electrical conductor connected to the first part at the exterior side adjacent the bottom side thereof and to the second part at the interior side adjacent the bottom side thereof (column 3 lines 14-22, and column 4 lines 27-44).

However, Goldenberg fails to teach at least one hinge connecting the bottom sides of the first and second parts to each other and allowing rotation of one of the first and second parts approximately 360 degrees relative to the other of the first and second parts; a first set of flexible electrical conductors connected to the first part at the exterior side adjacent the bottom side thereof and to the second part at the interior side adjacent the bottom side thereof.

In the related art, Olodort et al. teach at least one hinge connecting the bottom sides of the first and second parts to each other and allowing rotation of one of the first and second parts approximately 360 degrees relative to the other of the first and second parts; a first set of flexible electrical conductors connected to the first part at the exterior side adjacent the bottom side thereof and to the second part at the interior side adjacent the bottom side thereof (Abstract, Figure 1B, column 2 lines 35-42, column 4 lines 39-58, column 10 lines 50-67, and column 11 lines 1-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Olordort et al. into the teachings of Goldenberg for the purpose of allowing a hinge assembly that couples the display assembly to the base to allow rotation between a first configuration and a second configuration with a linkage that may provide up to 360 degrees of rotation that can quickly and easily transform to various useful positions.

Consider **claim 2, as applied to claim 1 above**, Goldenberg as modified by Olodort et al. further teach wherein the first set of electrical conductors stretches around the bottom side of the first part when the portable electronic device is folded (Goldenberg – Figure 2, Figure 5, Figure 7, column 3 lines 14-22, and column 4 lines 27-44).

Consider **claim 3, as applied to claim 2 above**, Goldenberg as modified by Olodort et al. further teach wherein the first set of electrical conductors stretches around the bottom side of the second part when the first and second parts are rotated approximately 360 degrees relative to each other (Goldenberg - Figure 2, Figure 5, Figure 7, column 3 lines 14-22, and column 4 lines 27-44; and Olodort et al. – column 4 lines 39-58, column 10 lines 50-67, and column 11 lines 1-25).

Consider **claim 4, as applied to claim 2 above**, Goldenberg as modified by Olodort et al. further teach wherein the first set of conductors is right angles to the bottom sides of the first and second parts (Goldenberg - Figure 4, Figure 5, Figure 7, column 2 lines 63-68, column 3 lines 1-22, column 4 lines 1-15, and column 4 lines 27-44).

Consider **claim 5, as applied to claim 2 above**, Goldenberg as modified by Olodort et al. further teach wherein the first set of flexible electrical conductors is separate from the hinge structure of the portable electronic device (Goldenberg - Figure 2, Figures 4-6, column 3 lines 14-22, column 4 lines 13-16, and column 4 lines 27-44).

Consider **claim 6, as applied to claim 2 above**, Goldenberg as modified by Olodort et al. further teach further comprising a second set of flexible electrical conductors connected to the second part at the exterior side adjacent the bottom side thereof and to the first part at the interior

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side adjacent the bottom side thereof (Olodort et al. - column 10 lines 50-67, and column 11 lines 1-25).

Consider **claim 7, as applied to claim 6 above**, Goldenberg as modified by Olodort et al. further teach wherein the second set of flexible electrical conductors stretch around the bottom side of the second part when the portable electronic device is folded (Olodort et al. - column 10 lines 50-67, and column 11 lines 1-25).

Consider **claim 8, as applied to claim 1 above**, Goldenberg as modified by Olodort et al. further teach wherein both the bottom sides of the first and second parts have a rounded shape (Goldenberg - Figure 1-2, Figure 5-6, column 2 lines 63-68, and column 3 lines 1-7).

Consider **claim 9, as applied to claim 2 above**, Goldenberg as modified by Olodort et al. further teach wherein the bottom sides of the first and second parts have at least one groove therein that is configured to receive the first set of flexible electrical conductors (Goldenberg - column 2 lines 63-68, column 3 lines 1-22, column 4 lines 1-15, and column 4 lines 27-44).

Consider **claim 10, as applied to claim 1 above**, Goldenberg as modified by Olodort et al. further teach wherein one of the parts comprises gears connected to its bottom side and the other of the parts is provided with gaps with which the gears mesh (Goldenberg - column 2 lines 63-68, column 3 lines 1-7, and column 4 lines 1-15).

Consider **claim 13, as applied to claim 1 above**, Goldenberg as modified by Olodort et al. further teach wherein the first set of flexible electrical conductors of comprises a flex film (Goldenberg - Figure 2, Figure 4, Figure 5, column 3 lines 14-22, and column 4 lines 27-44).

Consider **claim 14, as applied to claim 1 above**, Goldenberg as modified by Olodort et al. further teach wherein the first set of flexible electrical conductors comprises a cable having a plurality of wires (Olodort et al. - column 10 lines 50-67, and column 11 lines 1-25).

Consider **claim 16, as applied to claim 1 above**, Goldenberg as modified by Olodort et al. further teach wherein the device comprises a cellular phone (Goldenberg - column 1 lines 6-10, column 1 lines 20-36, column 2 lines 63-67, and column 3 lines 1-7).

Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Goldenberg (U.S. Patent # 5363,089)** in view of **Olodort et al. (U.S. Patent # 6,798,649)**, and further in view of **Jantschek (U.S. Patent # 5,966,777)**.

Consider **claim 11, as applied to claim 1 above**, Goldenberg as modified by Olodort teaches at least one hinge connecting the bottom sides of the first and second parts to each other and allowing rotation of one of the first and second parts relative to the other of the first and second parts.

However, Goldenberg as modified by Olodort et al. fail to teach wherein the at least one hinge comprises a plate having two sections, each of the two sections of the plate having an axis of rotation that is displaced in the plane of the plate from the axis of rotation of the other of the two sections, and each of the two sections of the plate having a protrusion on opposite sides in a middle of an area of the section that corresponds to the axis of rotation.

In the related art, Jantschek teaches wherein the at least one hinge comprises a plate having two sections, each of the two sections of the plate having an axis of rotation that is displaced in the plane of the plate from the axis of rotation of the other of the two sections, and each of the two sections of the plate having a protrusion on opposite sides in a middle of an area

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of the section that corresponds to the axis of rotation (Figure 10, Figure 11, column 3 lines 64-67, and column 4 lines 1-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Jantschek into the teachings of Goldenberg as modified by Olodort et al. for the purpose of a hinge to permit 360 degrees of smooth articulation for the respective members which are pivotally connected whether both members are to be articulable or one member to be stationary.

Consider **claim 12, as applied to claim 11 above**, Goldenberg as modified by Olodort et al. as further modified by Jantschek further teach wherein each of the parts has a slit configured to receive one of the sections of the plate, and each of the parts further defines cavities on opposite sides of the slit within the interior of the parts configured to receive the protrusions of the sections and to secure the hinge in the parts (Jantschek - Figure 10, Figure 11, column 3 lines 64-67, and column 4 lines 1-16).

Claims 15, and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Goldenberg (U.S. Patent # 5363,089)** in view of **Olodort et al. (U.S. Patent # 6,798,649)**, and further in view of **Suso et al. (U.S. Patent # 6,466,202)**.

Consider **claim 15, as applied to claim 1 above**, Goldenberg as modified by Olodort et al. teach the second part comprises a display on the interior side of the second part (Goldenberg - column 3 lines 14-34)

However, Goldenberg as modified by Olodort et al. fail to teach wherein the first part comprises an image captioning unit having a lens on the interior side of the first part.

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In the related art, Suso et al. teach wherein the first part comprises an image captioning unit having a lens on the interior side of the first part (Abstract, column 2 lines 21-33, column 3 lines 17-31, and column 4 lines 3-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Suso et al. into the teachings of Goldenberg as modified by Olodort et al. for the purpose of allowing a video camera to be incorporated to a coupling part so as to be rotatable wherein the direction of the video camera can be freely changed irrespective of the position of the first and second casing to enhance the convenience.

Consider **claim 17**, Goldenberg teaches a portable electronic device comprising:

a first part comprising electrical circuits and having an exterior side, an interior side, and top and bottom sides (Figure 2, Figure 3, column 2 lines 63-67, and column 3 lines 1-22);

a second part comprising electrical circuits and having an exterior side, an interior side and top and bottom sides (Figure 2, Figure 3, column 2 lines 63-67, and column 3 lines 1-22);

and

at least one hinge connecting the bottom sides of the first and second parts to each other and allowing rotation of one of the first and second parts (column 2 lines 63-68, column 3 lines 1-7);

wherein the second part comprises a display on the interior side of the second part (column 3 lines 14-34).

However, Goldenberg fails to teach at least one hinge connecting the bottom sides of the first and second parts to each other and allowing rotation of one of the first and second part

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approximately 270 degrees relative to the other of the first and second parts; wherein the first part comprises an image captioning unit having a lens on the interior side of the first part.

In the related art, Olodort et al. teach at least one hinge connecting the bottom sides of the first and second parts to each other and allowing rotation of one of the first and second part approximately 270 degrees relative to the other of the first and second parts (Olodort et al. - Abstract, Figure 1B, column 2 lines 35-42, column 4 lines 39-58, column 10 lines 50-67, and column 11 lines 1-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Olordort et al. into the teachings of Goldenberg for the purpose of allowing a hinge assembly that couples the display assembly to the base to allow rotation between a first configuration and a second configuration with a linkage that may provide up to 360 degrees of rotation that can quickly and easily transform to various useful positions.

Goldenberg as modified by Olodort et al. teach a first part comprising electrical circuits and having an exterior side, an interior side, and top and bottom sides; a second part comprising electrical circuits and having an exterior side, an interior side and top and bottom sides; and at least one hinge connecting the bottom sides of the first and second parts to each other and allowing rotation of one of the first and second parts approximately 270 degrees relative to the other of the first and second parts; wherein the second part comprises a display on the interior side of the second part.

However, Goldenberg as modified by Olodort et al. fail to teach wherein the first part comprises an image captioning unit having a lens on the interior side of the first part.

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In the related art, Suso et al. teach wherein the first part comprises an image captioning unit having a lens on the interior side of the first part (Suso et al. - Abstract, column 2 lines 21-33, column 3 lines 17-31, and column 4 lines 3-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Suso et al. into the teachings of Goldenberg as modified by Olodort et al. for the purpose of allowing a video camera to be incorporated to a coupling part so as to be rotatable wherein the direction of the video camera can be freely changed irrespective of the position of the first and second casing to enhance the convenience.

Consider **claim 18, as applied to claim 17 above**, Goldenberg as modified by Olodort et al. as further modified by Suso et al. further teach wherein the hinge allows rotation of one of the first and second parts approximately 360 degrees relative to the other of the first and second parts (Olodort et al. - Figure 1B, and column 4 lines 39-58).

Consider **claim 19, as applied to claim 17 above**, Goldenberg as modified by Olodort et al. as further modified by Suso et al. further teach wherein a set of flexible electrical conductors are connected between the first part and the second part and electrically connected the electrical circuits of the first and second parts (Goldenberg - column 2 lines 63-68, column 1-22, column 4 lines 1-15, and column 4 lines 27-44).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see PTO-892 Notice of References Cited).

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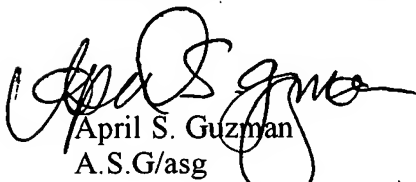
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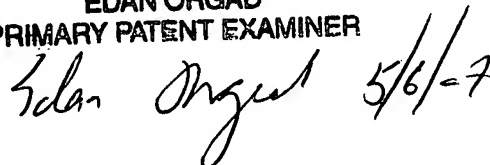
Any inquiry concerning this communication or earlier communications from the examiner should be directed to April S. Guzman whose telephone number is 571-270-1101. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 571-272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


April S. Guzman
A.S.G/asg
05/01/04

EDAN ORGAD
PRIMARY PATENT EXAMINER


Edan Orgad 5/6/-7